

**TEMPORARY**

**No. 73591T**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 19 2005

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed FEB 21 1989 under 52892

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The applicant **Town of Eureka** hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Permit # 57857**

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1. The source of water is **Underground**
2. The amount of water to be changed **0.027 CFS, not to exceed 20 ac ft annually**
3. The water to be used for **Municipal**
4. The water heretofore permitted for **Municipal**
5. The water is to be diverted at the following point **Located within Lot 9, Sec. 28, T. 20 N. R. 53 E. MDB&M from a point from which the Southeast Corner of said Sec. 28 bears S 46° 20' 21" E a distance of 1949.4 feet., (Point of diversion under permit #62929, Diamond Valley Well #1)**
6. The existing permitted point of diversion is located within **Located within the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec. 10, T. 20 N. R. 53 E. MDB&M. from a point from which the West  $\frac{1}{4}$  corner of said Section 10 bears N 46° 34' W a distance of 1,868.0 feet.**
7. Proposed place of use **Eureka County as created under NRS 243.1110 and revised under NRS 243.115, 243.120, 243.130, and 243.137**
8. Existing place of use **SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ -NE $\frac{1}{4}$ ; E $\frac{1}{2}$ -NE $\frac{1}{4}$ -NE $\frac{1}{4}$ ; and portions of the NW $\frac{1}{4}$ -SW $\frac{1}{4}$ ; NE $\frac{1}{4}$ -SW $\frac{1}{4}$ ; and SE $\frac{1}{4}$ -SW $\frac{1}{4}$  of Sec.9; W $\frac{1}{2}$  of Sec.10; E $\frac{1}{2}$ -E $\frac{1}{2}$ ; NW $\frac{1}{4}$ -NE $\frac{1}{4}$ ; portions of the NE $\frac{1}{4}$ -NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ -NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ -SE $\frac{1}{4}$ ; and SW $\frac{1}{4}$ -SE $\frac{1}{4}$  of Sec. 16 all within T.20N. R.53E. MDB&M**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing Turbine pump, booster pump, Drilled well, and transmission line.**
12. Estimated cost of works **0**
13. Estimated time required to construct works **Work Completed**
14. Estimated time required to complete the application of water to beneficial use **Work Completed**

15. Remarks: The existing distribution system will be used to provide water for construction purposes on projects within Eureka County. This permit will replace permit #71546-T upon termination of that temporary permit.

By Barry Fitzpatrick, Agent  
s/ Barry A Fitzpatrick  
800 East College Parkway  
Carson City, Nevada 89706

Compared sc/sam dl/ gkl

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit, to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 57857, is issued subject to the terms and conditions imposed in said Permit 57857 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on January 26, 2007 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.027 cubic feet per second, but not to exceed 19.55 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A - Temporary

Proof of completion of work shall be filed on or before:

N/A - Temporary

Water must be placed to beneficial use on or before:

N/A - Temporary

Proof of the application of water to beneficial use shall be filed on or before:

NA - Temporary

Map in support of proof of beneficial use shall be filed on or before:

NA - Temporary

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27<sup>th</sup> day of January, A.D. 2006

  
State Engineer